APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,369	12/29/2000	Patrick Doyle	042390.P9017	2184

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BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles, CA   90025-1026

EXAMINER
CHANKONG, DOHM

ART UNIT	PAPER NUMBER
2152	

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/752,369	DOYLE ET AL.
	Examiner	Art Unit	
	Dohm Chankong	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>06 June 2005</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-26</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-26</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1>   This action is in response to Applicant's arguments. Claims 1-26 are presented for

further examination.

2>   This is a final rejection.

Response to Arguments

3>   Applicant's arguments filed 6.6.2005 have been fully considered but they are not

persuasive.

     Applicant's main point of contention with the primary reference, Osten, is based on

the interpretation that there is no response/request type functionality present within Osten's

disclosure and refuted sections cited by Examiner in support of the rejection. Applicant

argues that certain sections do not disclose a "two-way communication" between the adapter

and the host. These arguments are applied to the embodiment where the configuration

information is received from the IOA but do not address the fact that Osten discloses an

alternative embodiment where the adapter provides an identifier to the host, the host

utilizing the identifier to request configuration information from (for example) a database,

and applying the retrieved configuration to the adapter [column 7 «lines 46-53»].

     Claim 1 as it is presently written does not specify who requests the connectivity

configuration, who receives the response (but presumably the device making the request), or

who attempts to establish the configuration. So broadly interpreting the claim, Examiner

argues that the Osten's host device requests the connectivity configuration from a database

[column 7 «lines 49-53»], that the host receives the response (in the form of configuration

information from the database) [column 7 «lines 49-53»] and then using the received

information to configure the adapter [claim 1]. That is, Examiner believes the interaction

disclosed between Osten's host and database inherently includes a request|response system,

or the "two-way" communication functionality argued by Applicant – it is inherent because

the host requests the configuration information, and the database responds to this request by

returning the requested information. Such an interaction is well known and ubiquitous in the

art.

     Based on the preceding remarks, Examiner believes the rejections are proper.

Claim Rejections - 35 USC § 102

4>   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form

the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) and the Intellectual Property and High Technology Technical Amendments Act of

2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-

AIPA 35 U.S.C. 102(e)).

5>   As to claim 1, Osten teaches a method comprising:

requesting an Infiniband connectivity configuration (column 7, lines 49-53, claim 8);

receiving a response regarding whether the requested configuration can be provided

(column 7, lines 49-53, column 8, lines 41-46 where : the host requests the configuration from

a database);

attempting to establish the requested connectivity configuration if the response to the

request is affirmative (column 7, lines 49-53, column 8, line 59 to column 9, line 8 where : the

host receives the configuration from the database and corresponds to an "affirmative"

response" from the database).

6>   As to claim 2, Osten teaches a method wherein the requested connectivity

configuration is not contained in the specification established for the InfiniBand architecture

(column 2, lines 53-65 and column 5, line 57 to column 6, line 11 – since the concept of

sideband communications was not in the 'standards' for InfiniBand, Osten's

conceptualization of sideband communications in the InfiniBand architecture was not in the

original spec).

7>   As to claim 3, Osten teaches a method wherein the requested connectivity

configuration is comprised of a plurality of links (column 2, line 59 and column 5, line 66 to

column 6, line 11 where the signal positions are equivalent to the links) .

9>   As to claim 4, Osten teaches a method wherein the requested connectivity

configuration is provided using a standard InfiniBand backplane connector (column 5, line 57

to column 6, line 3).

10>   As to claim 5, Osten teaches a method wherein said request for a connectivity

configuration is made by an Infiniband module to an Infiniband chassis management entity

(column 7, lines 9-15, column 7, lines 49-57 and line 58 to column 8, line 14 where the IOA is

the module and Osten's database and processor are collectively functional as a chassis

management entity).

11>   As to claim 6, Osten teaches a method wherein said request for a connectivity

configuration is made through an InfiniBand management link (column 8, lines 8-34).

12>   As to claim 8, Osten teaches a method comprising:

receiving a connectivity configuration request associated with an InfiniBand

connector, the configuration request representing an expanded InfiniBand connector

configuration including information indicative of one or more desire links to be established

through the InfiniBand connector and assigning one or more physical lanes of the InfiniBand

connector to each of the one or more desired links (column 7, lines 49-53, column 8, lines

claims 8, 9, 14 and 15);

providing a response to the connectivity configuration request indicating whether the

requested expanded Infiniband connector configuration can be provided (column 8, line 59 to

column 9, line 1); and

configuring the InfiniBand connector in accordance with said connectivity

configuration request (column 9, lines 1-8 and claim 13).

13>   As to claim 9, Osten teaches a method wherein said connectivity configuration is

made by an Infiniband module to an Infiniband chassis management entity (column 7, lines

9-15, column 7, lines 49-57 and line 58 to column 8, line 14 where the IOA is the module and

Osten's database and processor are collectively functional as a chassis management entity).

14>   As to claim 10, Osten teaches a method wherein said expanded InfiniBand connector

configuration is not contained in the specification established for the InfiniBand architecture

(column 2, lines 53-65 and column 5, line 57 to column 6, line 11).

15>   As to claim 11, Osten teaches a method wherein said expanded InfiniBand connector

configuration is comprised of a plurality of links (column 2, line 59 and column 5, line 66 to

column 6, line 11 where the signal positions are equivalent to the links).

16>   As to claim 12, Osten teaches a method comprising:

an InfiniBand management link operating to enable the establishment of an

InfiniBand connectivity configuration (column 7, lines 43-49 and claim 14), wherein said

management link:

      records a request for a connectivity configuration made by an InfiniBand

module (column 7, lines 49-53 and claim 8);

      allows an InfiniBand chassis to obtain said request for a connectivity

configuration (column 7, lines 49-52 and column 8, lines 22-31);

      records a response from said InfiniBand chassis to said request for a

connectivity configuration (column 8, lines 22-31, column 8, line 66 to column 9, line

4, and claim 8);

      allows said InfiniBand module to obtain said response to said request for a

connectivity configuration (claim 27).

17>   As to claim 13, Osten teaches the method wherein the requested connectivity

configuration is not contained in the specification established for the InfiniBand architecture

(column 2, lines 53-65 and column 5, line 57 to column 6, line 11).

18>   As to claim 14, Osten teaches the method wherein said request for a connectivity

configuration is written to a first management link configuration register and said response

to said request is written to a second management link configuration register (column 7, lines

16-34 and lines 43-53 and claim 27).

19>   As to claim 15, Osten teaches the method wherein the requested connectivity

configuration is comprised of a plurality of links (column 2, line 59 and column 5, line 66 to

column 6, line 11).

20>   As to claim 16, Osten teaches a network apparatus comprising:

        an InfiniBand connector (column 6, lines 3-11);

        an InfiniBand module to make a request for an expanded connectivity configuration

for the InfiniBand connector (column 7, lines 43-57);

        a chassis management entity coupled to said InfiniBand module, the chassis

management entity to receive the request for an expanded connectivity configuration for the

InfiniBand connector and to provide a response regarding whether the requested

configuration can be provided (column 7, lines 49-57, column 7, line 58 to column 8, line 21

where: Osten's database and processor collectively provide the same functionality of the

management entity).

21>   As to claim 17, Osten teaches the network apparatus wherein the requested

connectivity configuration is not contained in the specification established for the InfiniBand

architecture (column 2, lines 53-65 and column 5, line 57 to column 6, line 11).

22>   As to claim 18, Osten teaches the network apparatus wherein the requested

connectivity configuration is other than:

        a single link comprised of a connection to the first pin of a plurality of pins on the

InfiniBand connector;

a single link comprised of a connection to the first four pins of the plurality of pins on

the InfiniBand connector; or

a single link comprised of a connection to the first twelve pins of the plurality of pins

on the InfiniBand connector (column 6, lines 3-11 and claims 8 and 9).

23>   As to claim 19, Osten teaches the network apparatus wherein said InfiniBand module

is operable to establish the requested connectivity configuration if the response to the request

is affirmative (column 8, line 59 to column 9, line 8).

24>   As to claim 20, Osten teaches the network apparatus wherein said requested

connectivity configuration is comprised of a plurality of links that are provided

simultaneously through said InfiniBand connector (column 5, line 57 to column 6, line 11 and

claim 8).

25>   As to claim 21, Osten teaches the network apparatus wherein the InfiniBand

connector is a standard InfiniBand backplane connector (column 5, line 57 to column 6, line

3).

26>   As to claim 22, Osten teaches the network apparatus wherein said request for a

connectivity configuration is made through an InfiniBand management link (column 8, lines

8-34).

27>   Claim 24 is a machine readable medium with stored sequences of instructions that

performs the steps of the method of claim 1. Therefore, claim 24 is rejected for the same

reasons as set forth in above paragraph 4 for claim 1.

28>   Claim 25 is the machine readable medium that performs the step of the method of

claim 2. Therefore, claim 25 is rejected for the same reasons as set forth in above paragraph 5

for claim 2.

29>   Claim 26 is the machine readable medium that performs the step of the method of

claim 3. Therefore, claim 26 is rejected for the same reasons as set forth in above paragraph 6

for claim 3.

Claim Rejections - 35 USC § 103

30>   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
> are such that the subject matter as a whole would have been obvious at the time the invention was made to a
> person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

31>   Claims 7 and 23 are rejected under 35 U.S.C § 103(a) as being unpatentable over Osten,

in view of Pickreign et al, U.S Patent No. 6.732.249 ["Pickreign"].

32>   As to claim 7, Osten does not specifically teach a method wherein said request for a

connectivity configuration is written to a first management link configuration register and

said response to said request is written to a second management link configuration register.

33>   Pickreign discloses a similar configuration to Osten, i.e. connecting an adapter to a

computer network. Pickreign further discloses a method wherein said request for a

connectivity configuration is written to a first management link configuration register and

said response to said request is written to a second management link configuration register

[Figure 1 «items 35-39» | column 2 «line 43» to column 3 «line 2»]. It would have been

obvious to one of ordinary skill in the art to incorporate Pickreign's register functionality

into Osten to allow Osten's adapters and host computer to dynamically communicate data

and information effectively and efficiently [column 1 «lines 33-38»]. One would have been

motivated to perform such an implementation as Osten discloses modifying the

communications between the adapter and host using memory [column 7 «lines 55-57»].

34>   As to claim 23, as it merely is a claim to a network apparatus that implements the

steps of the method of claim 7, it does not teach or further define over the claimed

limitations. Therefore claim 23 is rejected for the same reasons set forth for claim 7, supra.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time
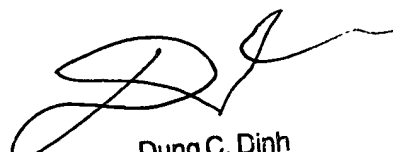
policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than

SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Dohm Chankong whose telephone number is (571)272-3942.

The examiner can normally be reached on 8:30AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Glenton Burgess can be reached on (571)272-3949. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status information

for unpublished applications is available through Private PAIR only. For more information

about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on

access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-

9197 (toll-free).

DC

Dung C. Dinh
Primary Examiner